

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,	:	
Plaintiff,	:	
v.	:	CA 12-0237-C
55.12 ACRES OF LAND, MORE OR LESS,	:	
LOCATED IN EVERGREEN, CONECUH	:	
COUNTY, STATE OF ALABAMA;	:	
WILLIAM W. WARD, et al.,	:	
Defendants.	:	

STIPULATED FINAL JUDGMENT

In accordance with the Order entered on this date, it is hereby **ORDERED, ADJUDGED, and DECREED** as follows:

1. The full just compensation payable by the Plaintiff for the taking of the property interests identified in the complaint and declaration of taking filed herein, as amended, together with all improvements thereon and appurtenances thereunto belonging, shall be the sum of \$225,000.00.

2. Judgment shall be and hereby is entered against the United States of America in the total amount of \$225,000.00.

3. Contemporaneously with the filing of this action Plaintiff deposited the amount of \$71,828.00 into the registry of this Court. At that time, title to the property, to the extent set forth in the Declaration of Taking, vested in the United States by operation of law. To date, said account has accrued interest in the amount of \$44.16. To that total, Plaintiff deposited the additional sum of \$153,127.84 (Doc. 87), making the full amount in the account, \$225,000.

4. The said sum of \$225,000.00 shall be full and just compensation and in full satisfaction of any and all claims of whatsoever nature against the United States by reason of the institution and prosecution of this action and taking of the said estates in lands and all appurtenances thereunto belonging, including any interest.

5. The said sum of \$225,000.00 shall be subject to all liens, encumbrances and charges of whatsoever nature existing against the said property at the time of vesting of title thereto in the United States of America and all such liens, encumbrances and charges of whatsoever nature shall be payable and deductible from the said sum.

6. The Clerk of this Court shall disburse the just compensation of \$225,000.00, as follows: to the defendant, by check made payable to the order of defendant, William W. Ward, and his attorneys of record – Billy C. Bedsole and Samuel L. Stockman, and delivered to his attorney, Samuel L. Stockman. Upon making the disbursal, the Clerk shall file with the Court a notice of disbursal indicating the amount disbursed and the date of disbursal. Said notice, filed with the Court, shall be available and sent to the parties in the instant action via the Court's ECF system.

7. Defendant has warranted that he is the sole owner of the subject property at the date of the taking, and that he has the exclusive right to the compensation herein, excepting the interests of parties having liens or encumbrances of record and unpaid taxes and assessments, if any, and that no other party is entitled to the same or any part thereof by reason of any unrecorded agreement.

8. In the event that any other party is ultimately determined by a Court of competent jurisdiction to have any right to receive compensation for the property taken in this case, defendant shall refund into the registry of the Court the compensation distributed herein, or such part thereof as the Court may direct, with interest thereon at the rate of 52-week Treasury Bills, calculated in accordance with the provisions of 40

U.S.C. § 3116, from the date of receipt of the deposit by defendant to the date of repayment into the registry of the Court.

9. Defendant shall save and hold harmless the United States of America from all claims or liability resulting from any unrecorded leases or agreements affecting the subject property on the date of taking.

10. Parties shall be responsible for their own legal fees, costs and expenses (including attorneys' fees, consultant's fees, and any other expenses).

11. The signatory parties hereto will take no appeal from any ruling or judgments made by this Court in this action.

DONE this the 31st day of July 2014.

s/WILLIAM E. CASSADY
UNITED STATES MAGISTRATE JUDGE